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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/551,746	04/18/2000	Michael G. Foulger	2018.001000	2629
26111	7590	11/17/2004	EXAMINER	
STERNE, KESSLER, GOLDSTEIN & FOX PLLC 1100 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			HILLERY, NATHAN	
			ART UNIT	PAPER NUMBER
			2176	
DATE MAILED: 11/17/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/551,746

Applicant(s)

FOULGER ET AL.

Examiner

Nathan Hillery

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 October 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-55 is/are pending in the application.
- 4a) Of the above claim(s) 8-17, 19, 20, 29-37, 39, 40, 45-52, 54 and 55 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 18, 21-27, 38, 41-44 and 53 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 April 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2/24/04.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

1. This action is responsive to communications: Change of Address filed on 10/11/02.
2. Claims 1 – 55 are pending in the case. Claims 1, 21, 41, 53, and 54 are independent. Because of an election requirement made by Applicant without traverse, only claims 1 – 7, 18, 21 – 27, 38, 41 – 44 and 53 will be examined at this time.

Specification

3. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

4. The abstract of the disclosure is objected to because undue length and duplication of title. Correction is required. See MPEP § 608.01(b).

Drawings

5. The drawings are objected to under 37 CFR 1.84(h)(5) because Figures 3 and 4 show(s) modified forms of construction in the same view. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid

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abandonment of the application. The objection to the drawings will not be held in abeyance.

6. Figures 13 – 14 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

7. Applicant is required to submit a proposed drawing correction in reply to this Office action. However, formal correction of the noted defect may be deferred until after the examiner has considered the proposed drawing correction. Failure to timely submit the proposed drawing correction will result in the abandonment of the application.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1 – 7, 18, 21 – 27, 38, 41 – 44, and 53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lenz (WO 9820434 A2).

10. **Regarding independent claim 1**, Lenz teaches that *the site layout studio unit is part of the web site configuration module 312 and enables the web site designer to create menus and define the web page sequence of the web site (page 23, lines 1 – 2) and that the artificial intelligence (AI) module of the present invention makes real-time*

adjustments during a connection session to keep the presentation flowing and prevent waiting time for the user (page 20, lines 7 – 9), which provide for **(a) hosting a configuration session that allows a first remote user to configure a propagative poster of host site content based on at least one configuration selection input by the remote user**; teaches that *Figure 6 is an illustration of a computer screen display showing information extracted from the web pages of the web site during the analyze web site process 408 described above, according to one embodiment of the present invention. The computer display illustrated in Figure 6 displays web page information including the web site name 602 "http ://MCJAVA SAMPLETREE/MORELINK htm", and the status of the analysis 612, a current page identifier 614* (page 8, lines 12 – 17), which provide for **(b) generating a propagative poster identifier that references the user-configured propagative poster**; and teaches that *specifically, when the user contacts the web site, a client module is downloaded on the first page and the HTML code output by the HTML generator module of the virtual design studio, described above is also downloaded. This HTML code is used by the client code module and the AI module, and contains the complete description of the web site in terms of the menus, menu items, sequences, and pages found in each sequence* (page 24, lines 18 – 22), which provide for **(c) generating a Web code segment that includes the propagative poster identifier and a link to the host site**; and **(d) forwarding the generated Web code segment to the first remote user in real-time**. Lenz does not explicitly teach that the **generated Web code segment can be inserted into a Web page of the first remote user to create a first remote user-configured propagative poster on the**

Web page of the first remote user; however, it would have been obvious to one of ordinary skill in the art at the time of the invention to be motivated to provide for it, since *the conventional HTML Generator module of the Virtual Design Studio creates an encoding of the database contents into a format that can be easily read by the client-side software on the user's computer* (page 23, lines 20 – 22) and thus the user would be able to copy the code from the file and insert the code without having to retype it so as to lower the chances for mistakes.

11. **Regarding independent claim 21**, the claim incorporates substantially similar subject matter as claim 1, and is rejected along the same rationale.

12. **Regarding independent claim 41**, the claim incorporates substantially similar subject matter as claim 1, and is rejected along the same rationale.

13. **Regarding independent claim 53**, the claim incorporates substantially similar subject matter as claim 1, and is rejected along the same rationale.

14. Claims 2 – 4, 6, 7, 18, 22 – 24, 26, 27, 38, and 42 – 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lenz (WO 9820434 A2) as applied to claims 1, 21, 41, and 53 above, and further in view of Business Wire (Google).

15. **Regarding dependent claim 2 – 4**, Lenz does not explicitly teach **a subsequent hit or search parameter(s)**. Business Wire does teach that *Google's WebSearch services enable customers to include the Google search box on their website* (page 1, first sentence under **Google WebSearch Services** at bottom) and that *Customers can place their own advertising in the search results page ... Further customizations include*

*support for navigation bars and menus to ensure Google's search results have the look and feel of the customer's site (page 2, bullets **Ads in the Results Page** and **Enhanced Customization** in the middle), which provide for generating the first remote user-configured propagative poster in response to a subsequent hit on the first remote user Web page by a second remote user that selects at least a portion of the Web page of the first remote user corresponding to the generated Web code segment, that the at least one configuration selection input by the first remote user includes at least one search parameter and executing a search query of data based on each search parameter to obtain a search result; and generating the first remote user-configured propagative poster, wherein the user-configured propagative poster includes the search result, and that the search query executing step executes a search query of data at the host site based on each search parameter to obtain the search result.* It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the invention of Lenz with the teachings of Business Wire because such a combination would allow the users of Lenz the benefit of *Google, one of the fastest growing search destination sites on the World Wide Web* (first paragraph, first sentence).

16. **Regarding dependent claim 6**, Lenz teaches that *the site layout studio unit is part of the web site configuration module 312 and enables the web site designer to create menus and define the web page sequence of the web site (page 23, lines 1 – 2) and that the artificial intelligence (AI) module of the present invention makes real-time adjustments during a connection session to keep the presentation flowing and prevent*

waiting time for the user (page 20, lines 7 – 9), which provide for **hosting a second configuration session that allows the second remote user to configure a second remote-user configured propagative poster of host site content based on at least one configuration selection input by the second remote user.**

17. **Regarding dependent claim 7**, Lenz teaches that *the site layout studio unit is part of the web site configuration module 312 and enables the web site designer to create menus and define the web page sequence of the web site* (page 23, lines 1 – 2) and that *the artificial intelligence (AI) module of the present invention makes real-time adjustments during a connection session to keep the presentation flowing and prevent waiting time for the user* (page 20, lines 7 – 9), which provide for **the step of initiating said second configuration session hosting step in response to a selection of the input portion by the second remote user.** Lenz does not explicitly teach **the first remote user-configured propagative poster includes an input portion.** However, Business Wire does teach that *Google's WebSearch services enable customers to include the Google search box on their website* (page 1, first sentence under **Google WebSearch Services** at bottom), which provide that **the first remote user-configured propagative poster includes an input portion that enables a second remote user to make another propagative poster.** It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the invention of Lenz with the teachings of Business Wire because such a combination would allow the users of Lenz the benefit of *Google, one of the fastest growing search destination sites on the World Wide Web* (first paragraph, first sentence).

18. **Regarding dependent claim 18**, neither Lenz nor Business Wire explicitly discloses **coordinates**. However, Business Wire does teach that *Google's WebSearch services enable customers to include the Google search box on their website* (first sentence under **Google WebSearch Services**) and that *Customers can place their own advertising in the search results page ... Further customizations include support for navigation bars and menus to ensure Google's search results have the look and feel of the customer's site* (page 2, bullets **Ads in the Results Page** and **Enhanced Customization** in the middle). Furthermore, it would have been obvious to one of ordinary skill in the art to be motivated to use or modify the combined teachings of Lenz and Business Wire to provide for **converting a pair of screen space coordinates of a user input selection to a pair of coordinates (x,y) in bitmap space; and at least one of determining whether the x,y coordinates in bit map space correspond to an input portion of the first remote-user configured propagative poster that enables a second remote user to make another propagative poster, and displaying detailed information from the host site related to summary information given by the pair of coordinates**, since the skilled artisan wants to provide the user with search results only if the user requests such results; such a request is normally perform by clicking in the search box. One of the easiest and most popular methods for the skilled artisan to know if the user clicks in the search box is by monitoring the user's mouse position, which usually involves manipulating an x and y coordinate pair. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the invention of Lenz with the teachings of Business Wire because such a

combination would allow the users of Lenz the benefit of *Google, one of the fastest growing search destination sites on the World Wide Web* (first paragraph, first sentence).

19. **Regarding dependent claim 22**, the claim incorporates substantially similar subject matter as claim 2, and is rejected along the same rationale.
20. **Regarding dependent claim 23**, the claim incorporates substantially similar subject matter as claim 3, and is rejected along the same rationale.
21. **Regarding dependent claim 24**, the claim incorporates substantially similar subject matter as claim 4, and is rejected along the same rationale.
22. **Regarding dependent claim 26**, the claim incorporates substantially similar subject matter as claim 6, and is rejected along the same rationale.
23. **Regarding dependent claim 27**, the claim incorporates substantially similar subject matter as claim 7, and is rejected along the same rationale.
24. **Regarding dependent claim 38**, the claim incorporates substantially similar subject matter as claim 18, and is rejected along the same rationale.
25. **Regarding dependent claim 42**, the claim incorporates substantially similar subject matter as claim 2, and is rejected along the same rationale.
26. **Regarding dependent claim 43**, the claim incorporates substantially similar subject matter as claim 3, and is rejected along the same rationale.
27. **Regarding dependent claim 44**, the claim incorporates substantially similar subject matter as claim 6, and is rejected along the same rationale.

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28. Claims 5 and 25 rejected under 35 U.S.C. 103(a) as being unpatentable over Lenz (WO 9820434 A2) and Business Wire (Google) as applied to claims 2 – 4, 6, 7, 18, 22 – 24, 26, 27, 38, and 42 – 44 above, and further in view of Mason et al. (US 6401075 B1).

29. **Regarding dependent claim 5**, neither Lenz nor Business Wire explicitly teach **overlay window**. However, Mason et al. teach that *the present invention however is not limited to any particular size or format of ads. Interstitial ads are ads which pop up on a screen and require the viewer to close the interstitial ad before proceeding. Tile ads are ads which extend down a column vertically. Micro-cites are typically small, square ads, most often located on the lower lefthand corner of a web page* (Column 3, lines 50 – 56), which provide for **displaying the generated first remote user-configured propagative poster in an overlay window within a display view of a browser of the second remote user**. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the invention of Lenz and the teachings of Business Wire with the invention of Mason et al. because such a combination would provide the users of Lenz and business Wire with *methods which permit online advertisements to be tracked, audited and/or modified, at any time midstream during a specific placement* (Column 2, lines 13 – 16).

30. **Regarding dependent claim 25**, the claim incorporates substantially similar subject matter as claim 5, and is rejected along the same rationale.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nathan Hillery whose telephone number is (571) 272-4091. The examiner can normally be reached on M - F, 10:30 a.m. - 7:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on (571) 272-4090. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


JOSEPH FEILD
SUPERVISORY PATENT EXAMINER

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